

6/29/11 10:22:49 ⁵⁵
DK W BK 660 PG 120 ^{CL}
DESOTO COUNTY, MS
W-E. DAVIS, CH CLERK

Prepared by and Return to:- Austin Law Firm, P.A. 6928 Cobblestone Drive Suite 100 Southaven, MS 38672 662-890-7575 MS Bar #3412 File No: S06-11-0337	Grantors Address: <u>2520 Eastbrook</u> <u>Horn Lake, MS.</u> <u>38637</u> Home: <u>662-404-1516</u> Work: <u>662-429-1470</u>	Grantees Address: <u>4891 Sunny Grove Cove</u> <u>Hernando, MS 38632</u> Home: <u>901-834-5006</u> Work: <u>901-834-7481</u>
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INDEXING INSTRUCTIONS: Part of the East ½ of the SW 1/4 of S 28, T3S, R9W

WARRANTY DEED WITH INGRESS/EGRESS EASEMENT

DAVID MCCOY AND WIFE, DENISE MCCOY
GRANTORS

TO

JOHN L. BENNETT AND WIFE, LAURA L. BENNETT,
GRANTEES

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, David McCoy and wife, Denise McCoy, do hereby sell, convey, and warrant unto John L. Bennett and wife, Laura L. Bennett, as tenants by the entirety with full rights of survivorship and not as tenants in common, the land lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

Tract 2 of the David McCoy Minor Lot Subdivision being more particularly described as follows:

Tract 2: Part of the East Half of the Southwest Quarter of Section 28, Township 3 South, Range 9 West, Desoto County, Mississippi, being 3.29 acres, more or less, and more particularly described as follows:

Beginning at a steel fence rail found and commonly accepted as evidence of the northeast corner of Lot 1 of Sunny Grove Subdivision (Plat Book 73, Page 35-36) located 1728.28 feet south and 1016.01 feet west of a fence corner post at the northeast corner of the southwest quarter of said Section 28; thence run South 88°40'55" West a distance of 279.75 feet to a point at the northwest corner of said Lot 1; thence run North 01°25'28" West a distance of 367.38 feet along the west line of said Sunny Grove Subdivision to a steel fence

Stewart
Title
Ad.

5

rail; thence run North 81°02'03" East a distance of 298.13 feet to a point in the apparent centerline of a shared gravel driveway; thence run South 10°32'27" East a distance of 216.95 feet generally along said shared gravel driveway to a point; thence run South 01°22'17" East a distance of 553.04 feet generally along said shared gravel driveway to a steel fence stake on the northwesterly right-of-way line of Sunny Grove Cove; thence run southwesterly along a 50.00 foot radius curve to the left, having a Chord Bearing of South 43°37'43" West and a Chord Distance of 70.71, a distance of 78.54 feet along said northwesterly right-of-way line to a steel fence rail on the east line of said Lot 1; thence run North 01°22'17" West a distance of 410.17 feet along said Lot 1 east line to the Point of Beginning and containing 3.29 acres, more or less, and subject to any record easements that may affect the herein described tract of land.

AND

Ingress/Egress Easement: Part of the East Half of the Southwest Quarter of Section 28, Township 3 South, Range 9 West, DeSoto County, Mississippi, being a 50-foot wide Ingress/Egress Easement containing 0.89 acres, more or less, and more particularly described as follows:

Beginning at a steel fence stake on the northerly right-of-way line of Sunny Grove Cove at the corner common to Lots 2 and 3 of Sunny Grove Subdivision (Plat Book 73, Page 35-36), said steel fence stake being 2087.15 feet south and 957.40 feet west of a fence corner post at the northeast corner of the southwest quarter of said Section 28; thence run southwesterly along a 50.00 foot radius curve to the left, having a Chord Bearing of South 73°37'43" West and a Chord Distance of 25.88 feet, a distance of 26.18 feet along said northerly right-of-way line to a point; thence run North 01°22'17" West a distance of 557.73 feet to a point; thence run North 10°32'27" West a distance of 215.63 feet to a steel fence stake; thence run North 81°02'03" East a distance of 50.02 feet to a point; thence run South 10°32'27" East a distance of 218.26 feet to a point; thence run South 01°22'17" East a distance of 561.74 feet to a point on said northerly right-of-way line; thence run northwesterly along a 50.00 foot radius curve to the left, having a Chord Bearing of North 76°22'17" West and a Chord Distance of 25.88 feet, a distance of 26.18 feet along said westerly right-of-way line to the Point of Beginning and containing 0.89 acres, more or less, and subject to any record easements that may affect the herein described tract of land.

THE ABOVE EASEMENT SHALL BE NON-EXCLUSIVE, PERPETUAL AND PERMANENT AND SHALL RUN WITH THE LAND.

See Attached Exhibit "A" Plat of Survey.

By way of explanation Floy McCoy, who had a Life Estate reserved in and to the above described property departed this life on August 21, 2009 see attached death certificate marked as Exhibit "B".

The warranty in this deed is subject to rights of ways and easements for public roads and public utilities, to building, zoning, subdivision and health department regulations in effect in DeSoto County, Mississippi.

Subject to any subdivision restrictive covenants, easements and setback lines recorded in the office of the Chancery Clerk of DeSoto County, Mississippi.

Further subject to that certain easement contained in Warranty Deed With Ingress/Egress Easement as conveyed in Book 659 Page 651 recorded in the office of the Chancery Clerk of DeSoto County, Mississippi.

Taxes for the year 2011 shall be paid by the Grantors, and possession is given with this deed.

WITNESS our signature(s), this the 24 day of June, 2011.

David McCoy
David McCoy

Denise McCoy
Denise McCoy

STATE OF MISSISSIPPI:
COUNTY OF DESOTO:

PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named DAVID MCCOY AND WIFE, DENISE MCCOY, who acknowledged that they signed and delivered the above and foregoing Deed on the day and year therein mentioned, as their free act and deed, and for the purposed therein expressed.

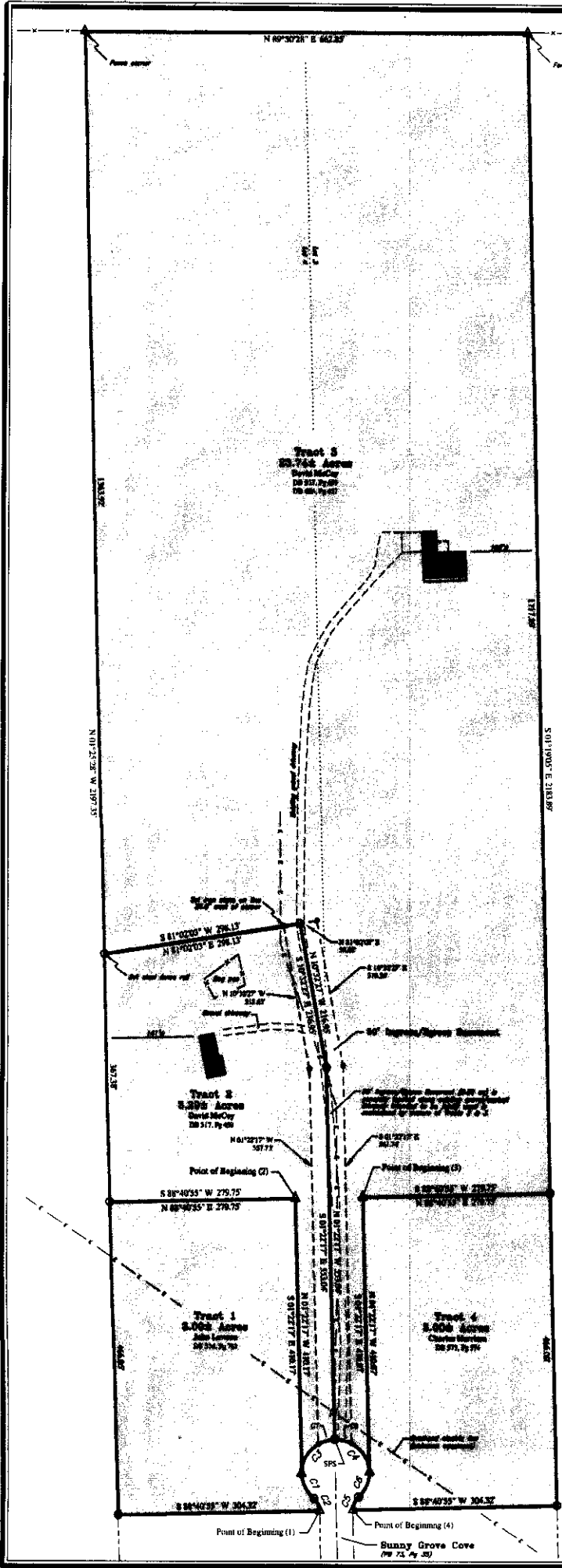
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24 of June, 2011.

Candace Corder
Notary Public

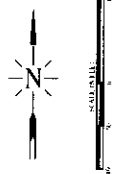
My commission expires:



RETURN TO:
STEWART TITLE OF MEMPHIS, INC.
7842 FARMINGTON BLVD.
GERMANTOWN, TN 38138
(901) 755-1000
20117346



~ PLAT OF SURVEY ~
33.03± ACRES IN THE
E 1/2 OF THE SW 1/4 OF SECTION 28
TOWNSHIP 3 SOUTH, RANGE 9 WEST
DESOTO COUNTY, MISSISSIPPI



DESCRIPTIONS

Tract 1: Part of the East Half of the Southwest Quarter of Section 28, Township 3 South, Range 9 West, Desoto County, Mississippi, being 1.00 acre, more or less, and more particularly described as follows:

Beginning at a steel fence rail found and commonly accepted as evidence of the southeast corner of Lot 1 of Sunny Grove Subdivision (Plot Book 73, Page 35-36), said steel fence rail being on the westerly right-of-way line of Sunny Grove Cove and located 2183.82 feet south and 879.86 feet west of a fence corner post of the northeast corner of the southwest quarter of said Section 28; thence run South 88°40'35" West a distance of 304.32 feet to a point of the southwest corner of said Sunny Grove Subdivision; thence run North 01°22'17" East a distance of 488.00 feet to a point of the northeast corner of said Lot 1; thence run North 88°40'35" East a distance of 278.75 feet to a steel fence rail of the northeast corner of said Lot 1; thence run South 01°22'17" East a distance of 410.17 feet to a steel fence rail on said Sunny Grove Cove westerly right-of-way line; thence run southwesterly along a Chord Bearing of South 53°27'58" East and a Chord Distance of 40.82 feet, a distance of 42.05 feet along said westerly right-of-way line to a point; thence run southwesterly along a 25.00 foot radius curve to the right, having a Chord Bearing of South 53°27'58" East and a Chord Distance of 20.41 feet, a distance of 21.03 feet along said steel right-of-way line to the Point of Beginning and containing 3.00 acres, more or less, and subject to any record assessments that may affect the herein described tract of land.

Tract 2: Part of the East Half of the Southwest Quarter of Section 28, Township 3 South, Range 9 West, Desoto County, Mississippi, being 3.29 acres, more or less, and more particularly described as follows:

Beginning at a steel fence rail found and commonly accepted as evidence of the northeast corner of Lot 1 of Sunny Grove Subdivision (Plot Book 73, Page 35-36) located 1728.88 feet south and 1018.01 feet west of a fence corner post of the northeast corner of the southwest quarter of said Section 28; thence run South 88°40'35" West a distance of 278.75 feet to a point of the northeast corner of said Lot 1; thence run North 01°22'17" West a distance of 367.38 feet along the west line of said Sunny Grove Subdivision to a steel fence rail; thence run North 81°02'53" East a distance of 258.13 feet to a point in the apparent centerline of a shared gravel driveway; thence run South 10°32'27" East a distance of 218.85 feet generally along said shared gravel driveway to a point; thence run South 01°22'17" East a distance of 553.04 feet generally along said shared gravel driveway to a steel fence stake on the northwesterly right-of-way line of Sunny Grove Cove; thence run southwesterly along a 50.00 foot radius curve to the left, having a Chord Bearing of South 43°37'43" West and a Chord Distance of 70.71 feet, a distance of 78.54 feet along said northwesterly right-of-way line to a steel fence rail on the west line of said Lot 1; thence run North 01°22'17" West a distance of 410.17 feet along said Lot 1 east line to the Point of Beginning and containing 3.29 acres, more or less, and subject to any record assessments that may affect the herein described tract of land.

Tract 3: Part of the East Half of the Southwest Quarter of Section 28, Township 3 South, Range 9 West, Desoto County, Mississippi, being 23.74 acres, more or less, and more particularly described as follows:

Beginning at a steel fence rail found and commonly accepted as evidence of the northeast corner of Lot 4 of Sunny Grove Subdivision (Plot Book 73, Page 35-36) located 1728.88 feet south and 918.03 feet west of a fence corner post of the northeast corner of the southwest quarter of said Section 28; thence run South 01°22'17" East a distance of 410.07 feet to a steel fence rail on the northwesterly right-of-way line of Sunny Grove Cove; thence run North 01°22'17" West a distance of 70.71 feet, a distance of 78.54 feet along said northwesterly right-of-way line to a steel fence stake; thence run North 01°22'17" West a distance of 553.04 feet generally along said shared gravel driveway to a point; thence run North 10°32'27" East a distance of 218.85 feet generally along said shared gravel driveway to a point; thence run South 81°02'53" West a distance of 258.13 feet to a steel fence rail on the west line of said Sunny Grove Subdivision; thence run North 01°22'17" West a distance of 1263.82 feet to a point of the northeast corner of said Sunny Grove Subdivision; thence run South 88°40'35" East a distance of 882.00 feet to a fence corner post of the northeast corner of said Sunny Grove Subdivision; thence run South 01°18'55" East a distance of 1717.89 feet generally along a barbed-wire fence and along the east line of said Sunny Grove Subdivision to a point of the northeast corner of said Lot 4; thence run South 88°40'35" West a distance of 278.75 feet along the north line of said Lot 4 to the Point of Beginning and containing 23.74 acres, more or less, and subject to any record assessments that may affect the herein described tract of land.

Tract 4: Part of the East Half of the Southwest Quarter of Section 28, Township 3 South, Range 9 West, Desoto County, Mississippi, being 3.00 acres, more or less, and more particularly described as follows:

Beginning at a steel fence rail found and commonly accepted as evidence of the southeast corner of Lot 4 of Sunny Grove Subdivision (Plot Book 73, Page 35-36), said steel fence rail being on the westerly right-of-way line of Sunny Grove Cove and located 2182.42 feet south and 829.87 feet west of a fence corner post of the southeast corner of the southwest quarter of said Section 28; thence run northwesterly along a 25.00 foot radius curve to the right, having a Chord Bearing of North 22°43'24" East and a Chord Distance of 20.41 feet, a distance of 21.03 feet along said westerly right-of-way line to a point; thence run northwesterly along a 50.00 foot radius curve to the left, having a Chord Bearing of North 22°43'24" East and a Chord Distance of 40.82 feet, a distance of 42.05 feet along said westerly right-of-way line to a steel fence rail; thence run North 01°22'17" West a distance of 410.07 feet to a steel fence rail of the northeast corner of said Lot 4; thence run North 88°40'35" East a distance of 278.75 feet along the north line of said Lot 4 to a point of the northeast corner of said Sunny Grove Subdivision; thence run South 88°40'35" West a distance of 304.32 feet along the south line of said Sunny Grove Subdivision to the Point of Beginning and containing 3.00 acres, more or less, and subject to any record assessments that may affect the herein described tract of land.

NOTES: Tract 1, 2, 3, 4: Part of the East Half of the Southwest Quarter of Section 28, Township 3 South, Range 9 West, Desoto County, Mississippi, being a 50-foot wide Easement/Right-of-Way Easement containing 0.89 acres, more or less, and more particularly described as follows:

Beginning at a steel fence stake on the northwesterly right-of-way line of Sunny Grove Cove at the corner common to Lots 2 and 3 of Sunny Grove Subdivision (Plot Book 73, Page 35-36), said steel fence stake being 2087.18 feet south and 827.40 feet west of a fence corner post of the northeast corner of the southwest quarter of said Section 28; thence run southwesterly along a 50.00 foot radius curve to the left, having a Chord Bearing of South 73°37'43" West and a Chord Distance of 25.88 feet, a distance of 26.18 feet along said northwesterly right-of-way line to a point; thence run North 01°22'17" West a distance of 557.73 feet to a point; thence run North 10°32'27" East a distance of 215.83 feet to a steel fence stake; thence run North 81°02'53" East a distance of 50.03 feet to a point; thence run South 10°32'27" East a distance of 218.28 feet to a point; thence run North 01°22'17" East a distance of 561.74 feet to a point on the northwesterly right-of-way line; thence run northwesterly along a 50.00 foot radius curve to the left, having a Chord Bearing of North 72°22'17" West and a Chord Distance of 25.88 feet, a distance of 26.18 feet along said westerly right-of-way line to the Point of Beginning and containing 0.89 acres, more or less, and subject to any record assessments that may affect the herein described tract of land.

CURVE TABLE

LENGTH	RADIUS	CHORD	BEARING
C1 42.05	50.00	40.82	S 25°27'59" E
C2 21.03	25.00	20.41	S 25°27'59" E
C3 78.54	50.00	70.71	S 43°37'43" W
C4 78.54	50.00	70.71	N 46°22'17" W
C5 21.03	50.00	20.41	N 22°43'24" E
C6 42.05	25.00	40.82	N 22°43'24" E
C7 26.18	50.00	25.88	S 73°37'43" W
C8 26.18	50.00	25.88	N 76°22'17" W

NOTES

This Class 1 Survey, performed May 11, 2011, was requested by and is for the use and benefit of said landowner, current owner of Tracts 1, 2, 3, 4 of the surveyed property. It is based on provided information and includes information found and may be subject to additional right-of-way, easement(s), and/or other encumbrances which a complete title report may make known. No title information was provided by Wages Surveying Company prior to the date(s) shown herein.

Bearings are based on the record drawings of Sunny Grove Subdivision as recorded in Plot Book 73, Page 35-36 in the office of the Champaign County, Desoto County, Mississippi, and referenced by the final metes and bounds thereon.

Wages Surveying Company is not responsible for the most accurate and/or existence of any above ground and/or subsurface utilities, public or private, which may affect the surveyed property and/or any adjacent properties.

This drawing was revised May 17, 2011 to show location of existing houses on Tract 3.

LEGEND

- BOUNDARY LINE
- ADJACENT LINE
- CENTRAL LINE
- FENCE LINE
- WATER, ETC.
- ENCUMBRANCE LINE
- CLOSING LINE
- BEARING
- BOUNDARY CORNER
- CHORDAL ALTERNATE
- 5/8" X 8" IRON FENCE STAKE

FOR REFERENCE PURPOSES ONLY
THIS SURVEY IS NOT VALID UNLESS ORIGINAL STAMP/SEAL & SIGNATURE APPEAR IN THIS SPACE

WAGES SURVEYING CO.
PROFESSIONAL LAND SURVEYORS
ARKANSAS - MISSISSIPPI

May 12, 2011
Revised: May 17, 2011

P.O. Box 876
Batesville, MS 38606

STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH
VITAL RECORDS

09534733

2009-020380

FILING
DATE OCT 14 2009CERTIFICATE OF DEATH
STATE OF MISSISSIPPISTATE FILE
NUMBER 123

1. NAME First Middle Last Floy Estella McCoy			2. SEX F	3a. HOUR OF DEATH 2:45 am	3b. DATE OF DEATH (Month, Day, Year) 8-21-2009
4. RACE (Specify White, Black, American Indian, etc.) White	5a. AGE AT LAST BIRTHDAY 75 Years	5b. MONTH 08	5c. DAYS 21	5d. HOURS 02	5e. MINS 45
6. PLACE OF DEATH (Check only one box) <input type="checkbox"/> Inpatient <input type="checkbox"/> Outpatient <input type="checkbox"/> DCA	7. DATE OF BIRTH (Month, Day, Year) 8-12-1934				
8. DEATH OCCURRED IN A HOSPITAL <input type="checkbox"/> Inpatient <input type="checkbox"/> Outpatient <input type="checkbox"/> DCA			9. DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL <input type="checkbox"/> Hospice facility <input type="checkbox"/> Decedent's home <input type="checkbox"/> Nursing home/Long term care facility <input type="checkbox"/> Other (Specify):		
9a. FACILITY NAME (If not a facility, give street address, route number, or other location) Desoto Health Care			9b. CITY, TOWN OR LOCATION OF DEATH Southaven		9c. COUNTY OF DEATH Desoto
10. DECEASED'S EDUCATION (Specify only highest grade completed) High School (9-12) 12		11. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) Widowed		12. SURVIVING SPOUSE (If wife, give maiden name) N/A	
13. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes or No) No		14. HAD DECEASED OF HISPANIC ORIGIN? (If yes, specify Cuban, Mexican, Puerto Rican, etc.) No		15. SOCIAL SECURITY NUMBER [REDACTED]	
16. USUAL OCCUPATION (Kind of work done most of working life) Homemaker		17a. INSIDE CITY LIMITS (Specify Yes or No) No		17b. STREET AND NUMBER OR RURAL LOCATION 4691 Sunny Grove Cove	
18. FATHER - NAME First Middle Last Bertram Cunningham		19. MOTHER - NAME First Middle Last Pauline Gainer		20. MAILING ADDRESS (Street and number, City or town, State, ZIP Code) 5967 Briarwood Dr., Horn Lake, MS 38667	
21a. DISPOSITION OF BODY (Specify Burial, Cremation, Removal, etc.) Donation		21b. CEMETERY/CREMATORY - NAME UT Apt Anat & Neuro		21c. LOCATION (City and State) Memphis, TN	
22a. FUNERAL HOME - NAME Mid South Mortuary		22b. FUNERAL HOME LICENSE NUMBER 715		22c. MAILING ADDRESS (Street and number, City or town, State, ZIP Code) 3788 Summer Ave., Memphis, TN 38122	
23a. PERSON WHO PRONOUNCED DEATH - NAME AND TITLE (Type or print) Jennifer Booth, RN		23b. PRONOUNCED DEAD (Month, Day, Year) August 21, 2009		23c. PRONOUNCED DEAD (Hour) AT 2:45 am	
24a. CERTIFIER - NAME (Type or print) Jeffery Pounders		24b. MAILING ADDRESS (Street and number, City or town, State, ZIP Code) 4942 Pounders Rd, Nesbit, MS 38651			
25a. To the best of my knowledge, death occurred due to the cause(s) and manner as stated. SIGNATURE Jeffery Pounders 25b. DATE SIGNED (Month, Day, Year) August 28, 2009 25c. STATE LICENSE NUMBER [REDACTED] 25d. NAME OF ATTENDING PHYSICIAN (Type or print) [REDACTED]		25e. On the basis of examination and/or investigation, in my opinion, death occurred due to the cause(s) and manner as stated. SIGNATURE Jeffery Pounders 25f. TITLE Desoto CO Coroner 25g. DATE SIGNED (Month, Day, Year) August 28, 2009			
26. CAUSE OF DEATH 26a. PART I - Enter the chain of events, disease, injury, or complication - first directly caused the death. DO NOT enter secondary events such as cardiac arrest, shock, or heart failure without stating the primary. List only one cause on each line. DO NOT USE ABBREVIATIONS. cardiomyopathy hypertension arteriosclerotic cardiovascular disease 26b. PART II - OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not resulting in the underlying cause given in PART I. hypothyroidism					
27. IF FEMALE, SPECIFY: <input type="checkbox"/> Was not pregnant within the past year <input type="checkbox"/> Was pregnant at the time of death <input type="checkbox"/> Not pregnant, but had been pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the past year <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death					
28. ACCIDENT, SUICIDE, HOMICIDE, PENDING INVESTIGATION, OR UNDETERMINED (Specify) [REDACTED]		29. DATE OF INJURY (Month, Day, Year) [REDACTED]		30. HOUR OF INJURY [REDACTED]	
31. INJURY AT WORK (Yes or No) [REDACTED]		32. PLACE OF INJURY (Specify Home, Farm, Street, Factory, Office building, etc.) [REDACTED]		33. LOCATION (Street and number, City or town, State, ZIP Code) [REDACTED]	

Mississippi State Department of Health

Revised 1-4-08

Form 511

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

JUN 22 2010

Judy Moulder
STATE REGISTRAR

WARNING: A REPRODUCTION OF THIS DOCUMENT RENDERS IT VOID AND INVALID. DO NOT ACCEPT UNLESS EMBOSSED SEAL OF THE MISSISSIPPI STATE BOARD OF HEALTH IS PRESENT. IT IS ILLEGAL TO ALTER OR COUNTERFEIT THIS DOCUMENT.

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER THIS IS WATERMARKED PAPER. DO NOT ACCEPT WITHOUT FIRST HOLDING TO LIGHT TO VERIFY WATERMARK.

EXHIBIT B